

### **REMARKS**

The Office Action mailed April 26, 2005 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

#### **I. Summary of Claims**

Claims 1-4, 12-15, and 19-32 are currently pending in the application, with claims 1 and 30-32 being independent claims. Claims 30-32 are added and claims 10-11 and 16-18 are cancelled, in accordance with the above amendments.

The Office Action rejects claims 1-4, 10, 12-16, and 19-29 as being anticipated by U.S. Patent Number 2,962,875 to Barroero. The Office Action also objects to claims 11, 17, and 18 as being dependent upon a rejected base claim.

#### **II. Discussion of Claims 1-4, 12-15, and 19-29**

Independent claim 1 recites a showcase having a showcase body, a goods-storing room, a plurality of goods shelves, a ventilation passage, a cooler, a blower, an air outlet, and air passages. The showcase body has a front opening, and the goods-storing room is formed in the showcase body. A plurality of goods shelves are arranged in the goods-storing room so as to be vertically spaced from one another. The ventilation passage is formed along a rear face of the goods-storing room, and the cooler and blower are disposed in the ventilation passage. The air outlet discharges air cooled by the cooler after being sucked through an air inlet provided at a lower front end of the goods-storing room into the ventilation passage. The air outlet is provided at an upper rear end of the goods-storing room so as to cause at least part of the air discharged therefrom to descend along the rear face of the goods-storing room between the rear face of the goods-storing room and rear ends of the goods shelves. The air passages are individually provided at lower faces of most of the goods shelves so as to permit the air descending along the rear face of the goods-storing room to flow therethrough from the rear ends towards front ends of these goods shelves and permit part of the air flowing therethrough to be discharged downward.

Based upon the above discussion, the showcase recited by independent claim 1 discharges air to the goods-storing room and the air then descends through the shelves. More particularly, the path of the air recited by independent claim 1 proceeds as follows:

- a) Air is discharged from the air outlet, which is provided at an upper rear end of the goods-storing room;
- b) At least part of the air discharged from the air outlet descends along the rear face of the goods-storing room;
- c) The air passes between the rear face of the goods-storing room and rear ends of the goods shelves;
- d) The air flows through air passages that are individually provided at lower faces of most of the goods shelves; and
- e) The air flows from the rear ends towards front ends of the goods shelves and part of the air flowing therethrough is discharged downward.

Accordingly, air is discharged to the goods-storing room, flows along the rear face of the goods-storing room, enters the air passages in the goods shelves, and is discharged downward from the goods shelves. This path for the air is significantly different than the path disclosed in Barroero, as described below.

Barroero discloses an upright refrigerated cabinet with an open front area and a plurality of shelves. The cabinet forms a pair of vertical manifolds, and rear portions of the shelves extend into the manifolds. In operation, refrigerated air flows through the manifolds and into air passages in the shelves, and the air is discharged from upper and lower surfaces of the shelves. More particularly, "Each shelf member 30 has two rearward projections 32 and 33 which project through suitable openings into adjacent manifolds. As illustrated in Fig. 5, the rearward projection 32 has a passage 34 therethrough to place the upper interior of the shelf member in fluid communication with the manifold into which projection 32 is inserted. Similarly, projection 33 has a passage 35 to fluidly communicate with the lower interior portion of the shelf member with the manifold into which projection 33 extends.... Shelves 30 are all provided with a plurality of holes or perforations 36 through their upper and lower surfaces 37 and 38" (Barroero, column 3, lines 6-30). Accordingly, refrigerated air passes into projections 32 and 33

from the manifolds, and the air is discharged through perforations 36 in upper and lower surfaces 37 and 38 of shelves 30.

Based upon the above discussion, Barroero teaches that air passes into a manifold, enters the shelves from the manifold, and is discharged from the shelves. The air entering the shelves in Barroero does not, therefore, enter the goods-storing room prior to entering the shelves. That is, Barroero does not teach or suggest the air path recited by independent claim 1, in which air entering the shelves first enters the goods-storing room.

In contrast with Barroero, therefore, independent claim 1 recites that air enters the goods-storing room prior to entering air passages in the shelves. Accordingly, the path of the air recited by independent claim 1 is different than the path of the air disclosed in Barroero. The Applicants respectfully submit, therefore, that independent claim 1 is allowable over Barroero and dependent claims 2-4, 12-15, and 19-29 are allowable for at least the same reasons.

### **III. Discussion of Claims 30-32**

The Office Action indicates that claims 11, 17, and 18 would be allowable if rewritten in independent claim format. Independent claim 30 substantially incorporates the recitations of claims 1, 10, and 11. Independent claim 31 substantially incorporates the recitations of claims 1, 2, 4, 16, and 17. Similarly, independent claim 32 substantially incorporates the recitations of claims 1 and 18. The Applicants respectfully submit, therefore, that claims 30-32 are allowable.

### **IV. Conclusion**

In view of the foregoing, the Applicants respectfully submit that all claims are in a condition for allowance. The Applicants respectfully request, therefore, that the rejections be withdrawn and that this application now be allowed.

This Amendment is being timely filed by facsimile transmission on June 24, 2005. Should additional fees or an extension of time be deemed necessary for consideration of this Amendment, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further

is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

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